

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Wednesday, September 3, 2014

9:00am

In attendance: Dennis Brennan

Stanley Davies, Chair

Robert Eva

Steven Gray

Bobby Joe Harris

Timothy Byrne

Charles Wright

Quinlan Regan

Board members not in attendance: Jack King, Fred Foeri, and Michael Januario

Also in attendance were Nick Ranone, Chief Mechanical Investigator; and Valentino Lombardi, DLT Legal Counsel and John Shaw, Administrator

1. – Call to Order: Stanley Davies called the meeting to order at 9:10 am.

2. – Minutes of August 6, 2014 meeting: Motion was made by Charles Wright to accept the minutes of the August 6, 2014 meeting as presented, seconded by Bob Eva and passed unanimously by the Board.

3. – Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Valentino Lombardi, DLT Legal Counsel, addressed the Board reminding board members to disclose any conflicts on matters before the board.

4. – HEARINGS:

Andres Ixcuna Cahuil – Violation #4845:

Nick Ranone was sworn in.

Andres Ixcuna Cahuil was not present at the hearing. The board confirmed that Mr. Cahuil had been notified of today's hearing and preceded with the hearing.

Nick Ranone read the violation.

LOCATION OF VIOLATION: Daniele Inc. Davis Drive Pascoag, RI 02859-0106.

VIOLATION: On 3-3-2014, Nicholas Ranone witnessed Mr. Andres Ixcuna Cahuil handling ductwork that he admitted he would be installing on numerous air handling units on the 2nd floor mezzanine at the above mentioned location.

Mr. Andres Ixcuna Cahuil does not hold a Sheet Metal license with the State of RI.

This is (1) violation of RIGL 28-27-28 Practices for which a license is required.

Nick Ranone provided testimony and entered 3 pictures as Exhibit 1. Mr. Ranone was questioned by the board.

Charles Wright made a motion that a violation did occur and seconded by Bobby Joe Harris. The motion passed unanimously.

Motion was made by Tim Byrne to uphold the fine of \$500.00 and seconded by Charles Wright. The motion was passed unanimously.

The recommendation will be forwarded to the Deputy Director.

Thomas P. Murphy Sr DBA Hurricane Air – Violation 4850:

Nicholas Ranone was previously sworn in.

Thomas P. Murphy was not present at the hearing. The board confirmed that Mr. Murphy had been notified of today's hearing and preceded with the hearing.

Nick Ranone read the violation.

LOCATION OF VIOLATION: Cumberland farms 2643 Hartford Avenue

Johnston, RI 02919

VIOLATION: On 3-28-2014, Nicholas Ranone, Mechanical investigator, visited

the above mentioned location to find that Mr. Thomas P. Murphy Sr. did have

one (1) of his employees, Mr. St. Laurent, handling ductwork in the attic. When

I confronted Mr. St. Laurent he admitted that he was helping out with the

installation of the ductwork. Mr. St. Laurent does not hold a sheet metal license

with the State of RI.

Furthermore, Mr. Murphy does not have a RI Master License as required by

RIGL 28-27-6.

This is two (2) violations of RIGL 28-27-6 Corporations and firms engaged in business.

Also, no permit was issued with the Town of Johnston. This is one (1) violation of RIGL 28-27-20 State and municipal inspections and installation permits.

Nick Ranone provided testimony and was questioned by the board.

A discussion ensued about the writing of the violation. A motion was made by

Charles Wright and seconded by Bobby Joe Harris to amend the violation as

written. The change was to remove original wording, “holder as an officer of

this company” to “as required by RIGL 28-27-6”

Motion passed unanimously.

Charles Wright made a motion that a violation did occur and seconded by Quinlan Regan. The motion passed unanimously.

Motion was made by Charles Wright to uphold the fine of \$1500.00 and seconded

by Bobby Joe Harris . The motion passed unanimously.

The recommendation will be forwarded to the Deputy Director.

Jason Nolli – Violation 4864:

Nick Ranone was previously sworn in.

Nick Ranone read the violation.

LOCATION OF VIOLATION: Mark and Helen Neves, 155 Spring Grove Avenue Warwick, RI 02889.

VIOLATION: On 4-27-14, I, Nicholas Ranone, Mechanical investigator received a complaint from homeowner Mr. Mark Neves against Mr. Albert Randazzo

owner/operator of Lighthouse Propane Inc. and one (1) of his employees Mr.

Jason Nolli. On 4-8-14 I visited Mr. Neves at his home to view the work that

was done and to obtain a written statement.

Mr. Nolli did help with the removal of the existing boiler and the installation

of a new hi-efficiency gas fired hot water wall hung boiler.

Mr. Nolli currently holds a valid Sheet metal Journeyman 1 license,

this does

**not allow boiler installations. Mr. Nolli would have needed a
Pipefitters license
in order to engage in this type of work.**

**This is one (1) violation of RIGL 28-27-28 Practices for which a
license is
required.**

**Nick Ranone provided testimony and a witness statement exhibit 1
and was questioned by the board.**

Mr. Nolli provided testimony and was questioned by the board.

**Tim Byrne made a motion that a violation did occur and seconded by
Charles Wright. The motion passed unanimously.**

**Motion was made by Tim Byrne to suspend the \$500.00 for one year
with no further violations and was seconded by Charles Wright. The
motion passed unanimously.**

The recommendation will be forwarded to the Deputy Director.

**Salvatore D. Rossi DBA New England Heating & Cooling – Violation
4895: Rescheduled to October**

Salvatore D. Rossi DBA New England Heating & Cooling – Violation 4897: Rescheduled to October

Steven R. Rossi DBA: New England Boiler Works – Violation 4894: Rescheduled to October

Steven R. Rossi DBA: New England Boiler Works – Violation 4894: Rescheduled to October

AR Heating & Cooling, Anibal L. Ramos – Violation 4919:

Nicholas Ranone was previously sworn in.

E. Patrick Luther was sworn in.

Mr. Anibal L. Ramos was sworn in.

Nicholas Ranone read the violation

LOCATION OF VIOLATION: Iggy's Restaurant 885 Oakland Beach Avenue

Warwick, RI 02889

VIOLATION: On 7-22-1, E. Partick Luther, Chief Plumbing Investigator,

witnessed Mr. Jose Enota, an employee of Anibal Ramos, AR Heating

& Cooling

33 Linwood Avenue, Providence, RI, installing a ductwork in the ceiling at the above mentioned location.

Mr. Enota does not possess a Sheet metal license or is not a registered apprentice with the State of RI.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business.

Nicholas Ranone provided testimony and was questioned by the board.

E. Patrick Luther provided testimony and was questioned by the board.

Mr. Anibal Ramos gave testimony and was questioned by the board.

Tim Byrne made a motion that a violation did occur and seconded by Charles Wright. The motion passed unanimously.

Tim Byrne made a motion to uphold the fine of \$1500.00 and was seconded by Bobby Joe Harris.

The motion passed 5 to 1 with Dennis Brennan opposing the motion.

The recommendation will be forwarded to the Deputy Director.

End of hearings.

5. – Richard D'Ambra – Appeal of denial to sit for Refrigeration Master 2 license exam:

Nick Ranone read the request by Mr. D'Ambra.

Mr. D'Ambra was before the board today to request he be allowed to take Master Refrigerator II after being denied by Nick Ranone. Mr. D'Ambra was questioned by the board.

A motion was made by Quinlan Regan and seconded by Charles Wright to allow Mr. D'Ambra to sit for the Master Refrigerator II.

The vote was 2 in favor and 5 opposed.

Opposed were Bobby Joe Harris, Dennis Brennan, Tim Byrne, Robert Eva and Steven Gray. Those in favor were Charles Wright and Quinlan Regan.

6. – Michael Morgera Sr – Petition Board to sit for Refrigeration Master 2 license exam:

Nick Ranone read the request by Mr. Morgera Sr. of Ocean State Heating Service, LLC.

Mr. Morgera was before the board requesting to take Refrigeration Master II test.

Mr. Morgera was questioned by the board.

Motion was made by Tim Byrne and seconded by Bobby Joe Harris to deny Mr. Morgera's request. Motion passed unanimously.

7. – Michael McGinn – to address Board regarding Decorative Heating Appliance license:

Discussion by Mr. McGinn and the board.

8. – Old Business – Review of proposed changes to Rules and Regulations and proposed licenses:

Not discussed

9. – Adjournment: A motion to adjourn was made by Charles Wright;

seconded by Tim Byrne and passed unanimously by the Board. The meeting adjourned at 10:35am.